

REMARKS

Claims 42-53 are pending. Upon entry of this response, claims 42, 49, and 54-69 will be pending, claims 42 and 49 having been amended, claims 43-48 and 50-53 canceled, and claims 54-69 added in this response. The claim amendments find support in the specification and the original claims. The melting point range recited in claim 54 is a recognized property of the resin, such as Nurcel™, that comprises the sealant layer.

Objections to the Specification

The abstract was objected to as not being on a separate sheet. Submitted herewith is an abstract to appear on a separate page after the current last page of the specification.

Claims 42, 49, and 53 were objected to as allegedly introducing new matter. The objected-to language in claim 42 has been amended to recite "of between about 1 μ m and about 10 μ m." The amendment finds support in the specification, page 12, lines 21-22, for example. The objected-to language has been deleted from claim 49. Claim 53 has been canceled, rendering the objection moot.

The objections are believed to be overcome. Withdrawal thereof is requested.

Objections to the Claims

Claims 48, 49, and 53 were objected to as allegedly having informalities requiring correction. The objected-to language has been deleted from claim 49. Claims 48 and 53 have been canceled, rendering the objections moot. The objections are believed to be overcome. Withdrawal thereof is requested.

112 Rejections

1st Paragraph

Claims 42, 49, and 53 were rejected under 35 U.S.C. 112, 1st paragraph, as allegedly failing to comply with the written description requirement. The amendments to claims 42 and 49 and the cancellation of claim 53, as described above in the "Objections to the Specification" section, overcome the rejections. Withdrawal thereof is requested.

2nd Paragraph

Claims 42 and 49 were rejected under 35 U.S.C. 112, 2nd paragraph, as allegedly being indefinite. Claim 42 has been amended to clarify the rejected language. The rejected language has been deleted from claim 49. The rejections are believed to be overcome. Withdrawal thereof is requested.

102 Rejection

Claim 42 was rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Louie (U.S. Pat. No. 5,591,540). Applicants traverse the rejection.

Claim 42 as amended is directed to a laminate package for an energy storage device having two terminals, the package including, *inter alia*, "a sealant layer being disposed intermediate the inner barrier layer and an adjacent one of the terminals."

In contrast, Louie merely discloses a *strip* 30 between small areas of *both* terminals 34, 36 used in a packaging material to seal where the terminals exit the packaging material. See, e.g., Louie, col. 4, lines 37-47. Hence, the strip 30 may be better viewed as a gasket, for example. Louie does not teach or suggest that the strip 30 is disposed intermediate the inner barrier layer and *one* of the adjacent terminals, as in claim 42 of the present invention.

Therefore, claim 42 is not anticipated by Louie. Withdrawal of the rejection is requested.

103 Rejections

Louie in view of Sasaki

Claims 43-48 and 53 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Louie in view of Sasaki (U.S. Pat. No. 6,277,516).

Claims 43-48 and 53 have been canceled, rendering the rejections moot. Withdrawal thereof is requested.

Louie in view of Naraoka

Claim 49 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Louie in view of Naraoka (U.S. Pat. No. 5,540,644). Applicants traverse the rejection.

Claim 49 as amended is directed to a laminate package for an energy storage device having two terminals, the package including, *inter alia*, "a sealant layer being disposed between, and being sealingly engaged with, the inner barrier and an adjacent one of the terminals."

In contrast, Louie neither teaches nor suggests that the strip 30 is disposed between the inner barrier layer and *one* of the terminals. Nor does Louie teach or suggest that the strip 30 is sealingly engaged with the inner barrier layer and *one* of the terminals.

The deficiencies of Louie are not corrected by Naraoka because Naraoka also fails to teach or suggest a sealant layer, as in claim 49 of the present invention. Instead, Naraoka discloses a packing bag for light sensitive materials having inner and outer surfaces. See, e.g., Naraoka, Abstract.

Since the sealant layer of claim 49 is absent from both references, their combination would still not provide the claimed layer.

Moreover, Applicants have discovered that inclusion of a suitable sealant layer, such as ethylene acrylic acid in an embodiment of the present invention, advantageously negates the need to pre-coat terminals by bonding directly to the terminals, particularly aluminum terminals. This bonding is particularly useful for supercapacitive energy storage devices having two aluminum terminals. In conventional packages, pre-coated terminals were needed because those terminals used in conjunction with batteries did not seal directly to the packages.

For at least these reasons, claim 49 is believed to be patentable over Louie in view of Naraoka. Withdrawal of the rejections is requested.

Louie in view of Naraoka in further view of Sasaki

Claims 50-52 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Louie in view of Naraoka in further view of Sasaki.

Claims 50-52 have been canceled, rendering the rejections moot. Withdrawal thereof is requested.

New Claims 54-69

New claims 54-69 are believed to be neither anticipated by nor obvious over the cited references by virtue of their dependency from either claim 42 or claim 49

CONCLUSION

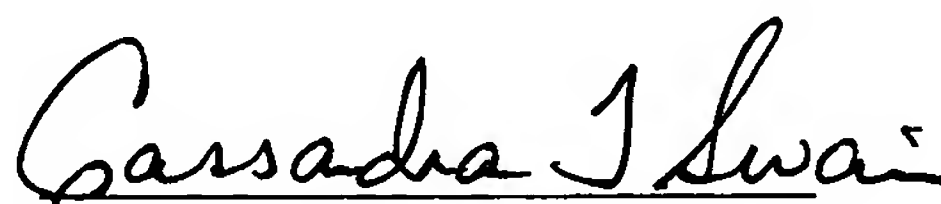
The claims are believed to be allowable. Any early and favorable action to that effect is requested.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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